

In re Appln. Of: Chris Henri
Application No.: 10/580,527

REMARKS

In response to the Final Office Action dated September 1, 2009, Applicant has amended the claims to put them in condition for allowance by simply taking the allowed or allowable claims. In particular, claims 5 and 14-25 were previously allowed and claims 3 and 13 were indicated to include allowable subject matter. By way of this amendment, claim 3 has been amended to independent form including all base limitations of independent claim 1, and all of dependent claims previously dependent upon claim 1 have been amended to depend from allowable claim 3. Claim 1, as such, has been cancelled without prejudice reserving the right to prosecute that claim in a divisional application.

Accordingly, all issues raised in the Final Office Action are moot, as only allowable or allowed claims remain. Accordingly, a Notice of Allowance is respectfully solicited.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Extension of Time and Fee Deficiency

The Commissioner is authorized to charge the fee for a one-month extension of time to Deposit Account No. 50-3505. Applicants believe that no other extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for any additional extension of time. If any additional fee is required, or any overpayment is made, in connection with this communication please charge or credit deposit account No. 50-3505.

Respectfully submitted,

/Andrew J. Heinisch/

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